

Message

From: Stoker, Michael B. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DCB64B4E7EDF48AABE8EF43996A4652E-STOKER, MIC]
Sent: 10/9/2018 11:24:36 PM
To: Greg Dozer [gdozer@adams-wendt.com]
Subject: Re: Milum Textile Services

My pleasure. I'll keep my fingers crossed

Michael Stoker
EPA Regional Administrator-Region 9
Cell [Ex. 6 Personal Privacy (PP)]

On Oct 9, 2018, at 3:41 PM, Greg Dozer <gdozer@adams-wendt.com> wrote:

I appreciate your help. I think they are headed toward an agreement.

Sincerely,

Gregory J. Dozer R.G. CEM
Senior Geologist

Adams and Wendt, Inc.
461 N. Gilbert Road, Mesa, Arizona 85203
[Ex. 6 Personal Privacy (PP)] (cell)
(480) 924-7144 (office)
gdozer@adams-wendt.com
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From: Stoker, Michael B. [mailto:stoker.michael@epa.gov]
Sent: Tuesday, October 09, 2018 3:33 PM
To: Greg Dozer
Subject: Re: Milum Textile Services

Mr. Dozer,
I have been receiving regular updates from my staff since you made your first inquiry. Currently staff is reviewing the counter-proposal your client submitted. That was received yesterday. I do know based on other sites the staff has been very generous in this matter in reducing the Scope of Work. Hopefully staff will respond later this week or early next week.

Best regards,
Michael Stoker
EPA Regional Administrator-Region 9
Cell [Ex. 6 Personal Privacy (PP)]

On Oct 8, 2018, at 8:46 AM, Greg Dozer <gdozer@adams-wendt.com> wrote:

Mike,

I sent the below email to you earlier and wanted to let you know that the new Lead Attorney for this case, Mr. Dustin Minor, has reached out to offer some discussion regarding the talking points outlined in my email to you and as stated in previous letters from Milum's attorney, Mr. Roger Strassburg. Whether due to your suggestions or by coincidence, we are greatly appreciative that the EPA is currently willing to discuss these important small business related issues Mr. Milum must evaluate before promising to complete any work. I wanted to let you know so that you have an update on our status.

Thank you again for your ear and consideration. Also the offer is still good if you and/or your personnel wish to stop by the Milum Textile Services site to see the space and activities.

Sincerely,

Gregory J. Dozer R.G. CEM
Senior Geologist

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From: Greg Dozer
Sent: Tuesday, September 25, 2018 5:54 PM
To: 'stoker.michael@epa.gov'
Cc: 'Craig Milum'
Subject: Milum Textile Services

Mike,

Thank you for sending my previous email regarding Milum Textile Services dated September 7, 2018 to your staff for review during your vacation. London is wonderful at this time of year. Shortly after receipt of your email, I also received a copy of an email and letter dated September 6, 2018 from Region 9 indicating that the EPA was going to conduct the on-site investigation themselves. This was later reiterated by Mr. Maldonado in his response to me on September 13, 2018 and again indicating a hard line approach without consideration of the issues holding Mr. Milum back from committing to the investigation and the AOC.

On behalf of Mr. Milum, we are simply requesting that the EPA consider an approach that will not put Milum Textile Services out of business just to conduct the investigation. These issues in the AOC include:

- 1) <!--[if !supportLists]--><!--[endif]-->A \$300,000 bond, cash or other security;
- 2) <!--[if !supportLists]--><!--[endif]-->A heuristic approach to the investigation where further work is based on the results of initial investigations;
- 3) <!--[if !supportLists]--><!--[endif]-->An open checkbook for EPA oversight costs; and
- 4) <!--[if !supportLists]--><!--[endif]-->No budget estimate on EPA costs for either a cost recovery effort or oversight.

Based on the September 6, 2018 letter received, we can only assume that the approach that the EPA apparently has right now is to do the investigation and then charge Milum Textile Services three times the costs (which are currently unspecified). The EPA has not provided a budget estimate or other information that Mr. Milum can use to evaluate if it is affordable for Milum Textile Services. It further appears to us that the Region 9 folks are unwilling to talk about it or provide approximate cost estimates.

As a small business, Mr. Milum must be prudent with expenditures and to-date, the EPA has not been forthcoming to provide him with any opportunity to evaluate the ultimate costs that he may incur. That, in itself, may impact his ability to keep Milum Textile Services in business. We also get the impression that the staff is not interested in talking about these above issues.

It is my hope that you can see his business predicament and Catch 22 situation. Mr. Milum's desire is to do the right thing but at the same time he is responsible for the viability of the company and the livelihood of 70+ employees. Unfortunately, he appears to be at a standstill on being able to make these decisions because the financial impact cannot be estimated at this time and he does not want to be forced to litigate this matter.

Based on the above, it would be greatly helpful if you would speak with your personnel regarding this issue to see if there is any way to discuss the above mentioned items. Also, I know that you regularly visit Arizona and we would also like to invite you, your staff, and ADEQ personnel that are with you to visit the Milum Textile Services site to see the facility.

Thank you

Sincerely,

Gregory J. Dozer R.G. CEM
Senior Geologist

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